

Senate File 47 - Introduced

SENATE FILE 47

BY SINCLAIR

A BILL FOR

1 An Act relating to Gadsden flag special registration plates.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.34, Code 2023, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 11E. *Gadsden flag plates.*

4 a. Upon application and payment of the proper fees, the
5 director may issue Gadsden flag plates to the owner of a
6 motor vehicle subject to registration under section 321.109,
7 subsection 1, autocycle, motor truck, motor home, multipurpose
8 vehicle, motorcycle, trailer, or travel trailer.

9 b. Gadsden flag plates shall be designed by the department.
10 The background shall be yellow at the top and bottom, with the
11 color fading into white in the center. The plate's numbers
12 and letters shall be black. The left side of the plate shall
13 depict a black and white rattlesnake coiled on green grass.
14 The image depicting the coiled rattlesnake shall be at least
15 three inches tall and two inches wide. The phrase "Don't Tread
16 on Me" shall appear at the bottom of the plate.

17 c. The special Gadsden flag fee for letter-number designated
18 Gadsden flag plates is thirty-five dollars. An applicant may
19 obtain personalized Gadsden flag plates upon payment of the
20 fee for personalized plates as provided in subsection 5, which
21 is in addition to the special Gadsden flag fee. Personalized
22 plates authorized by this subsection shall be limited to no
23 more than five numerals, letters, or combinations of numerals
24 and letters. The fees collected by the director under this
25 subsection shall be paid monthly to the treasurer of state and
26 deposited in the road use tax fund.

27 d. Upon receipt of the special registration plates, the
28 applicant shall surrender the current registration plates to
29 the county treasurer. The county treasurer shall validate
30 the special registration plates in the same manner as regular
31 registration plates are validated under this section. The
32 annual special Gadsden flag fee for letter-number designated
33 plates is ten dollars which shall be paid in addition to
34 the regular annual registration fee. The annual fee for
35 personalized Gadsden flag plates is five dollars which shall be

1 paid in addition to the annual special Gadsden flag fee and the
2 regular annual registration fee. The annual special Gadsden
3 flag fee shall be credited as provided under paragraph "c".

4 e. The department shall not condition the issuance of
5 Gadsden flag plates on the receipt of any number of orders for
6 Gadsden flag plates.

7 Sec. 2. Section 321.166, subsections 2 and 9, Code 2023, are
8 amended to read as follows:

9 2. Every registration plate or pair of plates shall display
10 a registration plate number which shall consist of alphabetical
11 or numerical characters or a combination thereof and the name
12 of this state, which may be abbreviated. Every registration
13 plate issued by the county treasurer shall display the name
14 of the county, including any plate issued pursuant to section
15 321.34, except Pearl Harbor and purple heart registration
16 plates issued prior to January 1, 1997, ~~registration plates~~
17 ~~issued pursuant to section 321.34, subsection 13,~~ paragraph
18 ~~"d",~~ and collegiate, fire fighter, ~~and~~ medal of honor, and
19 Gadsden flag registration plates. Special truck registration
20 plates shall display the word "special". The department may
21 adopt rules to implement [this subsection](#).

22 9. Special registration plates issued pursuant to section
23 321.34, other than gold star, medal of honor, collegiate, fire
24 fighter, natural resources, blackout, ~~and~~ flying our colors,
25 and Gadsden flag registration plates, shall be consistent with
26 the design and color of regular registration plates but shall
27 provide a space on a portion of the plate for the purpose of
28 allowing the placement of a distinguishing processed emblem or
29 an organization decal. Special registration plates shall also
30 comply with the requirements for regular registration plates
31 as provided in [this section](#) to the extent the requirements are
32 consistent with the section authorizing a particular special
33 vehicle registration plate.

34

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill authorizes the department of transportation (DOT)
3 to design and issue Gadsden flag special registration plates.
4 The bill requires the plate's background to be yellow at the
5 top and bottom, with the color fading into white in the center.
6 The plate's numbers and letters must be black. The left side
7 of the plate must contain the image of a rattlesnake in black
8 and white coiled on green grass. The phrase "Don't Tread on
9 Me" must appear at the bottom of the plate.

10 The bill provides that the special Gadsden flag fee for
11 letter-number designated Gadsden flag plates is \$35. An
12 applicant may obtain personalized Gadsden flag plates upon
13 payment of the \$25 fee for personalized plates set forth under
14 current law, which is in addition to the special Gadsden flag
15 fee. Personalized Gadsden flag plates are limited to five
16 numerals and letters. The annual special Gadsden flag fee for
17 letter-number designated plates is \$10, which is in addition
18 to the regular annual registration fee. The annual fee for
19 personalized Gadsden flag plates is \$5, which is in addition
20 to the annual special Gadsden flag fee and the regular annual
21 registration fee. The bill requires the special Gadsden flag
22 fees collected by the DOT to be paid monthly to the treasurer
23 of state and deposited in the road use tax fund.

24 The bill prohibits the DOT from conditioning the issuance of
25 Gadsden flag plates on the receipt of any number of orders for
26 Gadsden flag plates.

27 Gadsden flag plates are exempt from the general requirements
28 to display the name of the county that issues the plates and to
29 be consistent with the design and color of regular registration
30 plates.

31 The bill strikes an outdated reference in Code section
32 321.166.